



IPD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Hiroshi SUSAKI et al.

Group Art Unit : 1646

Appl. No. : 10/822,661

Examiner : Not Yet Assigned

Filed : April 13, 2004

Confirmation No. : 3663

For : DDS COMPOUND AND METHOD FOR MEASUREMENT
THEREOF

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
U.S. Patent and Trademark Office
220 20th Street S.
Customer Window, Mail Stop _____
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir :

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98 and supplemental to the Information Disclosure Statement that was filed on July 13, 2004, Applicants hereby submit a copy of a European Search Report that was mailed on August 10, 2004, with respect to patent family member European Patent Application No. EP 99952805.2, in which the following documents were cited:

- (1) M. NISHIKAWA et al., Pharmaceutical Research, Vol. 10, No. 9, 1993, pp. 1253-1261;
- (2) J. MURATA et al., Journal of Biomaterials Science Polymer Edition, Vol. 8, No. 12, 1997, pp. 931-946;
- (3) U.S. Patent No. 4,386,026 to PONPIPOM et al., which issued on May 31, 1983;

- (4) European Patent Application Publication No. EP 0 640 622, which was published on March 1, 1995, together with patent family member U.S. Patent No. 5,688,931 to NOGUSA et al., which issued on November 18, 1997 (family member WO 94/19376 A1 has previously been cited in the Information Disclosure Statement); and
- (5) International Patent Application Publication No. WO 98/56424, which was published on December 17, 1998, together with patent family member U.S. Patent No. 6,338,843 to DUNCAN et al., which issued on January 15, 2002.

The category of relevance, pertinent portions, and claims to which each document is relevant, as ascertained by the European Examiner applying European rules to the European claims are set forth in the European Search Report.

Further to the U.S. Patent and Trademark Office's decision to waive the requirement under 37 C.F.R. §1.98 (a)(2)(i), copies of the U.S. patents are not enclosed herewith. However, if any copies are needed, the Examiner is respectfully requested to contact the undersigned.

Furthermore, Applicants note that document (1) and WO 94/19376 A1 were previously cited in an Information Disclosure Statement filed in the present application, and thus copies of these documents are not being provided herewith.

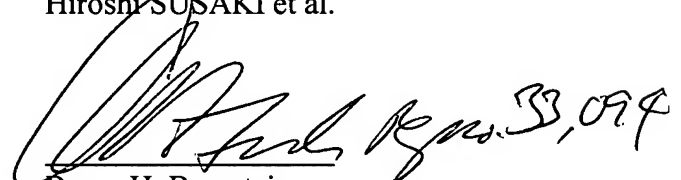
Applicants respectfully request that the Examiner consider the above material and cite the same. Copies of the documents (2)-(5) are attached hereto (copies of the U.S. patent family members are not attached hereto) and all of the documents are listed on the attached PTO-1449 Form. A copy of the European Search Report and its Annex are also attached hereto. The Examiner is requested to initial the appropriate spaces on the

attached Form and to return a copy of the completed Form to Applicants with the next official communication in the present application.

Applicants note that an Office Action on the merits has not issued in the present application, and thus no fee is believed necessary to ensure consideration of the submitted material. However, if an Office Action on the merits has issued and is crossing this statement in the mail, the undersigned hereby authorizes the Commissioner to charge any fee necessary for the consideration of this statement, including any payment under 37 C.F.R. §1.17 (p) to Deposit Account No. 19-0089.

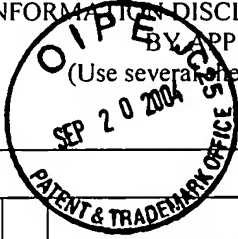
Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
Hiroshi SUSAKI et al.


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September 16, 2004
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1646

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DOCUMENT NUMBER										DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
		0	6	4	0	6	2	2	03/01/95	E.P.O.					
	9	8	/	5	6	4	2	4	12/17/98	W.I.P.O.					
	94	1	1	9	3	7	6		09/01/94	W.I.P.O.					

[illegible]

DATE CONSIDERED

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.